

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

B-219866.2; B-219867.2

FILE:

DATE: September 18, 1985

Julie Research Laboratories, Inc.

MATTER OF:

DIGEST:

Dismissal of original protests for failure to file a copy of protests with the contracting officer within 1 day after filing with GAO is affirmed since protester failed to comply with the Bid Protest Regulations.

Julie Research Laboratories, Inc. (JRL) requests reconsideration of our dismissal of its protests under solicitation Nos. F41608-84-G-0067 and F41608-85-F-1116 issued by the Department of the Air Force. We dismissed the protests because JRL failed to furnish a copy of the protests to the contracting officer within 1 day after the protests were filed with our Office as required by our Bid Protest Regulations, 4 C.F.R. § 21.1(d) (1985).

We conclude that the protests were properly dismissed.

JRL's protests were filed on August 12, 1985, and the record shows that the Air Force had not received a copy of JRL's protests as of August 29, 1985. JRL states that the agency copies were not mailed due to an inadvertent clerical error and requests that we consider the merits of its original protest.

The Competition in Contracting Act of 1984, Pub. L. No. 98-369, § 2741(a), 98 Stat. 1175, 1198 and our implementing regulations impose a strict time limit of 25 working days for an agency to file a written report with our Office from the date of telephonic notice of the protest from our Office. 4 C.F.R. § 21.3(c). Extensions are considered exceptional and are sparingly granted.

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Further, our Office generally must issue a final decision within 90 working days after the protest is filed. Permitting delays in furnishing copies of protests to the contracting agency would hamper contracting agencies' ability to comply with the statutorily imposed time limitation for filing a report, and could frustrate our efforts to provide effective and timely consideration of all objections to procurement actions. See Sabreliner Corp., B-218033, Mar. 6, 1985, 64 Comp. Gen. _____, 85-1 CPD ¶ 280. We therefore will not reopen our files on these protests.

The dismissals are affirmed.

for *Raymond E. Evans*
Harry R. Van Cleve
General Counsel